

In re: Timothy M. Crowder et al.
Serial No.: 10/607,389
Filed: June 26, 2003
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REMARKS

This response is submitted in reply to the Office Action mailed September 22, 2005 ("the Action"). Claims 31-59 are pending in the application.

A. Allowed and Allowable Claims

Applicant acknowledges with appreciation, the Examiner's statement in the Action that Claims 53-59 are allowed.

The Action also states that Claims 32-36, 39, 44 and 46-52 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten to incorporate the limitations of the base claim and any intervening claims. Claims 44, 48 and 52 have been rewritten into independent form and stand in condition for allowance. Claims 49-51 depend from rewritten Claim 48 and are also in condition for allowance.

B. Claim Informalities

The Action notes certain claim informalities in Claims 31, 41 and 53. Applicant has amended the claims as suggested to include "steps of" in the preamble in a non-narrowing manner to advance prosecution. The claim amendments are not to be construed as placing a §112, paragraph 6, or "means-plus-function" interpretation requirement thereon. In view of the foregoing, Applicant submits that the claim objections have been obviated.


C. Double Patenting

The Action provisionally rejects Claims 31, 37-38, 40-43 and 45 under the judicially created doctrine of obviousness-type double patenting of Claims 54-60 in co-pending, co-assigned, U.S. Patent Application Serial No. 10/606,676 ("the '676 application"). In order to obviate this provisional rejection, Applicant submitted on January 9, 2006, an amendment in the '676 application to cancel Claims 54-60 therein. In view of the foregoing, Applicant respectfully submits that all of the pending claims are in condition for allowance, which action is respectfully requested.

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The Examiner is invited to contact the undersigned to resolve any remaining issues in the application.

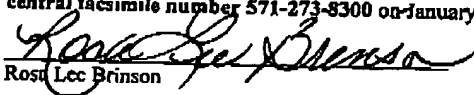
Respectfully submitted,


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I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office via the central facsimile number 571-273-8300 on January 9, 2006.


Rost Lee Brinson